

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

DOUG A. BANKS,)	
Plaintiff,)	
)	
v.)	Civ. No. 05-201-P-S
)	
JO ANNE B. BARNHART,)	
Commissioner,)	
Social Security Administration,)	
Defendant.)	
_____)	

O R D E R

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner=s decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. ' 405(g), and in light of the government=s request to remand this action for further development of the record by an Administrative Law Judge (AALJ@),

IT IS HEREBY ORDERED that, upon remand, the ALJ will conduct a new administrative hearing, during which Plaintiff will be allowed the opportunity to submit new and relevant evidence. Further, the ALJ will reassess Plaintiff's residual functional capacity ("RFC") and consult a vocational expert to determine whether Plaintiff can perform his past relevant work or other work that

exists in significant numbers in the national economy, in light of the specific limitations contained in that new RFC assessment. Plaintiff has reviewed the terms of remand as set forth in the motion for remand.

Therefore, this Court hereby reverses the Commissioner=s decision under sentence four of 42 U.S.C. ' 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

/s/ George Z. Singal
Chief U.S. District Judge

Dated: March 30, 2006.